

# CLAIMS RESOLUTION TRIBUNAL

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In re Holocaust Victim Assets Litigation  
Case No. CV96-4849

## **Certified Award**

to Claimant Francoise Francine-Gilberte Gademann  
also acting on behalf of Etienne Léon Laulé

### **in re Account of Emilie Lehmann**

Claim Number: 501162/AH

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Francoise Francine-Gilberte Gademann, née Laulé, (the “Claimant”) to the published account of Emilie Lehmann (the “Account Owner”) at the Montreux branch of the [REDACTED] (the “Bank”).

All awards are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form identifying the Account Owner as her maternal grandmother, Emilie Fanny Lehmann, née Meyer, who was born on 26 June 1880 in Goersdorf, Bas-Rhin, France, was married to Léon Lehmann, and had one daughter, Jeanne Laulé, née Lehmann, the Claimant’s mother. The Claimant indicated that in 1925, Léon and Emilie Lehmann resided at Rue Baldung 5, in Strasbourg, France, where Léon Lehmann's textile business, “*Toiles des Vosges de Gérardunes*,” was located. The Claimant further indicated that her grandfather traveled frequently to Switzerland. The Claimant indicated that in 1935, her grandparents moved to Rue Kirstein 1, Strasbourg, where they remained until Léon Lehmann's death on 4 July 1939. According to the Claimant, her grandmother, who was Jewish, left Strasbourg in September 1939 together with her daughter, and moved to Périgueux, Dordogne, France, where they stayed as refugees until the end of the Second World War. The Claimant added that her grandmother was not able to arrange her finances prior to her escape.

The Claimant further indicated that on 3 November 1945 her grandmother returned to Strasbourg, to discover that the family’s documents and assets, which she had entrusted with servants and neighbors prior to her escape, had all disappeared. The Claimant indicated that following their return to Strasbourg, Emilie Lehmann and her daughter made inquiries regarding Swiss bank accounts, to no avail. The Claimant stated that Emilie Lehmann remained in Strasbourg. The Claimant stated further that her grandmother died on 10 March 1961 in

Brumath, Bas-Rhin, France and that Jeanne Laulé died on 18 November 1977 in Strasbourg. The Claimant submitted the following documents in support of her claim:

1. the Claimant's birth and marriage certificates, showing that her mother was Jeanne Laulé, née Lehmann;
2. Jeanne Laulé's birth, marriage and death certificates, showing that her mother was Emilie (also indicated as Emélie and Fanny Emilie) Lehmann;
3. Jeanne Laulé's refugee card;
4. copies of letters to Jeanne Laulé, dated 1 July 1941 and 15 February 1945, from the prefecture of the Dordogne, the first permitting her residence in Périgueux and the second referring to her claim regarding salaries due to her for her work at the prefecture during the time of her dismissal according to the racial laws;
5. a certificate from the prefecture of the Dordogne confirming Jeanne Laulé's employment between March 1940 and 31 August 1945;
6. a receipt issued to Emilie Lehmann, née Meyer by a furniture store on 13 March 1954; and
7. Emilie Lehmann's death certificate stating that she died on 10 March 1961 in Brumath, Bas-Rhin.

The Claimant stated that she was born on 20 August 1943 in Périgueux. The Claimant represents her brother, Etienne Léon Laulé, who was born on 26 May 1950 in Strasbourg.

### **Information Available in the Bank's Records**

The Bank's records consist of an account statement of a suspense account dated 21 May 1957, and a printout from the Bank's database. According to these records, the Account Owner was Emilie Lehmann. The Bank's records indicate that the Account Owner's address was not known to the Bank. The Bank's records further indicate that the Account Owner held an account, the type of which is not indicated.

According to the Bank's records, the last activity on the account took place on 23 May 1942. The Bank's records indicate that the account was transferred to a suspense account for dormant assets on 20 November 1957. The amount in the account on the date of the transfer was 71.00 Swiss Francs ("SF"). The account remains in the Bank's suspense account.

### **The CRT's Analysis**

#### Identification of the Account Owner

The Claimant's maternal grandmother's name matches the published name of the Account Owner.

The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than her name.

In support of her claim, the Claimant submitted documents, including Jeanne Laulé's birth, marriage and death certificates, showing that her mother was Emilie (also indicated as Emélie and Fanny Emilie) Lehmann; a receipt issued on 13 March 1954 to Emilie Lehmann, née Meyer and Emilie Lehmann's death certificate, thus providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Bank's records as the name of the Account Owner.

The CRT notes that there are no other claims to this account. Taking all these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owner.

#### Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish, and stayed as a refugee in Périgueux until the end of the Second World War.

#### The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimant's maternal grandmother. These documents include the Claimant's birth and marriage certificates, showing that her mother was Jeanne Laulé, née Lehmann and Jeanne Laulé's birth, marriage and death certificates, showing that her mother was Emilie (also indicated as Emélie and Fanny Emilie) Lehmann. There is no information to indicate that the Account Owner has surviving heirs other than the party whom the Claimant represents.

#### The Issue of Who Received the Proceeds

The Bank's records indicate that the account was transferred to a suspense account on 20 November 1957, where it remains.

#### Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimant. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules Governing the Claims Resolution Process (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was her grandmother, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

#### Amount of the Award

In this case, the Account Owner held one account of unknown type. The Bank's records indicate that the value of the account as of 20 November 1957 was SF 71.00. According to Article 29 of the Rules, if the amount in an account of unknown type was less than SF 3,950.00, and in the

absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 3,950.00. The current value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 49,375.00.

#### Division of the Award

According to Article 23(1)(c) of the Rules, if the Account Owner's spouse has not submitted a claim, the award shall be in favor of any descendants of the Account Owner who have submitted a claim, in equal shares by representation. In this case, the Claimant is representing her brother, Etienne Léon Laulé. Accordingly, the Claimant and Etienne Léon Laulé, the grandchildren of the Account Owner, are each entitled to one-half of the total award amount.

#### **Scope of the Award**

The Claimant should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on her claim to determine whether there are additional Swiss bank accounts to which she might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

#### **Certification of the Award**

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal  
31 March 2005